

DoD Directive 1400.16.⁴ For the purposes of accepting gifts under 10 U.S.C. 2601 only, the Secretaries of the Military Departments shall be deemed to have jurisdiction over section 6 Schools located on installations under their respective control.

§ 345.6 Relationships.

(a) In the performance of assigned duties, the Director, DoD section 6 Schools, shall:

(1) Exchange information and advice and coordinate actions with DoD Components having collateral or related functions.

(2) Use established facilities and services in the Department of Defense and other Government Agencies, whenever practicable, to achieve maximum efficiency and economy of operations.

(3) Consult and coordinate with other governmental and nongovernmental agencies on matters related to the mission of the DoD section 6 Schools.

(b) All DoD Components shall coordinate with the Director, DoD section 6 Schools, as appropriate, on all matters relating to the operation of the DoD section 6 Schools.

§ 345.7 Authorities.

The Director, DoD section 6 Schools, is specifically delegated authority to:

(a) Execute the responsibilities and functions described in § 345.5.

(b) Obtain reports, information, advice, and assistance, consistent with the policies and criteria of DoD Directive 7750.5,⁵ as deemed necessary.

(c) Communicate directly with appropriate representatives of the DoD Components and other governmental and nongovernmental agencies on matters related to the DoD section 6 Schools.

(d) Exercise the operational and administrative authorities contained in appendix A to this part.

§ 345.8 Administration.

(a) The Director, DoD section 6 Schools, shall be a civilian selected by the ASD(FM&P).

(b) Administrative support for Headquarters, DoD section 6 Schools, and DoD section 6 Schools field elements

shall be provided by the DoD Components.

(c) The DoD section 6 Schools Office shall be authorized such personnel, facilities, funds, and other resources as the Secretary of Defense deems necessary.

APPENDIX A TO PART 345—DELEGATIONS OF AUTHORITY

Pursuant to the authority vested in the Secretary of Defense, and subject to the direction, authority, and control of the Secretary of Defense, and in accordance with DoD policies, Directives, and Instructions, the Assistant Secretary of Defense (Force Management and Personnel) (ASD(FM&P)) or, in the absence of the ASD(FM&P), the person acting for the ASD(FM&P), is hereby delegated authority, as required in administration and operation of the DoD section 6 Schools, to:

1. Make determinations with respect to recruiting, selecting, removing, disciplining, and taking other actions involving civilian employees of the DoD section 6 Schools.

2. In accordance with 5 U.S.C. 7532; E.O. 10450, 18 FR 2489, 3 CFR, 1949-1953 Comp., p. 936; E.O. 12333, 46 FR 59941, 3 CFR, 1981 Comp., p. 200; E.O. 12356, 47 FR 14874 and 15557, 3 CFR, 1982 Comp., p. 166; and DoD Directive 5200.2,¹ "DoD Personnel Security Program," as appropriate:

a. Designate any position in the DoD section 6 Schools as a "sensitive" position.

b. Authorize, in case of an emergency, the appointment of a person to a sensitive position in the DoD section 6 Schools for a limited period of time and for whom a full field investigation or other appropriate investigation, including the National Agency Check, has not been completed.

c. Authorize the suspension, but not terminate the services, of a DoD section 6 Schools employee in the interest of national security.

3. Authorize and approve:

a. Travel for DoD section 6 Schools civilian employees, in accordance with Volume II, Joint Travel Regulations.

b. Invitational travel to non-DoD personnel whose consultative, advisory, or other highly specialized technical services are required in a capacity that is directly related to, or in connection with, DoD section 6 Schools activities, in accordance with Volume II, Joint Travel Regulations.

c. Overtime work for DoD section 6 Schools civilian employees in accordance with chapter 55, subpart V, of 5 U.S.C. and applicable OPM regulations.

4. Develop, establish, and maintain an active and continuing Records Management

⁴See footnote 1 to § 345.5(a)(6).

⁵See footnote 1 to § 345.5(a)(6).

¹See footnote 1 to § 345.5(a)(6).

Program, pursuant to 44 U.S.C. 3102 and DoD Directive 5015.2,² “Records Management Program”.

5. Authorize the publication of advertisements, notices, or proposals in newspapers, magazines, and other public periodicals, as required for the effective administration of the DoD section 6 Schools consistent with 44 U.S.C. 3702.

6. Establish and maintain, for the functions assigned, an appropriate publications system for the promulgation of common supply and service regulations, instructions, and reference documents, and changes thereto, pursuant to the policies and procedures prescribed in DoD 5025.1-M,³ “DoD Directives System Procedures”.

7. Enter into support and service agreements with other DoD Components, including the Military Departments, as required for the effective performance of responsibilities and functions assigned to the DoD section 6 Schools.

8. Enter into and administer contracts directly or through a Military Department, a DoD contract administration services component, or other Government Department or Agency, as appropriate, for supplies, equipment, and services required to accomplish the mission of the DoD section 6 Schools. To the extent that any law or Executive order specifically limits the exercise of such authority to persons at the Secretarial level of a Military Department, such authority shall be exercised by the appropriate Under Secretary or Assistant Secretary of Defense.

The ASD(FM&P) may redelegate these authorities, as appropriate, and in writing, except as otherwise specifically indicated above, or as otherwise provided by law or regulation.

PART 346—DEPARTMENT OF DEFENSE EDUCATION ACTIVITY

Sec.

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AUTHORITY: 10 U.S.C. 131(b).

SOURCE: 57 FR 53559, Nov. 12, 1992, unless otherwise noted.

§ 346.1 Purpose.

Pursuant to the authority vested in the Secretary of Defense under 10

U.S.C. 131(b), this part establishes the DoDEA with responsibilities, functions, authorities, and relationships as outlined.

§ 346.2 Applicability.

This part applies to the Office of the Secretary of Defense (OSD); the Military Departments; the Chairman of the Joint Chiefs of Staff and the Joint Staff; the Unified and Specified Commands; the Office of the Inspector General, Department of Defense; the Defense Agencies; and the DoD Field Activities (hereafter referred to collectively as the “DoD Components.”) The term “Military Services,” as used herein, refers to the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard.

§ 346.3 Mission.

The mission of the DoDEA is to:

(a) Advise and act for the Assistant Secretary of Defense (Force Management and Personnel) (ASD(FM&P)) on all matters relative to the DoD Dependents Schools (DoDDS), section 6 Schools, and Continuing and Post-Secondary Education (CAPSE) programs.

(b) Formulate and develop policies, guidelines, and standards for the management of defense education activities and programs.

(c) Plan, direct, coordinate, and manage the education programs for eligible dependents of U.S. military personnel and civilian personnel of the Department of Defense stationed overseas in accordance with 32 CFR part 347.

(d) Plan, direct, coordinate, and manage the education programs for eligible dependents of U.S. military and civilian personnel stationed in areas prescribed in 20 U.S.C. 2362; in accordance with 20 U.S.C. 241 note; and 32 CFR part 68.

(e) Plan, direct, coordinate, and oversee the programs and services for continuing adult and post-secondary education for U.S. military personnel.

§ 346.4 Organization.

The DoDEA is established as a DoD Field Activity under the authority, direction, and control of the ASD(FM&P). It shall consist of:

(a) A Director, who shall be known as the Director of Education.

² See footnote 1 to § 345.5(a)(6).

³ See footnote 1 to § 345.5(a)(6).